



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

HARVARD
LAW REVIEW

VOL. XIII.

1899-1900

CAMBRIDGE, MASS.

THE HARVARD LAW REVIEW PUBLISHING ASSOCIATION

1900

Copyright, 1899, 1900,
BY THE TRUSTEES OF THE HARVARD LAW REVIEW.

THE UNIVERSITY PRESS, CAMBRIDGE, MASS., U. S. A.

TABLE OF CONTENTS.

ARTICLES.

	PAGE
ADMISSION TO THE BAR, THE CONSTITUTIONAL POWER OF THE COURTS OVER.	
<i>Blewett Lee</i>	283
ADVISORY OPINIONS OF THE JUDGES OF ENGLAND. <i>Van Vechten Veeder</i>	358
BENTHAM AND THE CODIFIERS. <i>Charles Noble Gregory</i>	344
CLASSIFICATION OF RIGHTS AND WRONGS. I., II. <i>C. C. Langdell</i>	537, 659
CONCENTRATION AND INTERNATIONAL LAW. <i>Grafton Cushing</i>	589
CONCLUSIVENESS OF DECREES OF A DOMESTIC PROBATE COURT IN MASSA-	
CHUSETTS. <i>Arthur M. Alger</i>	190
CONSIDERATION, TWO THEORIES OF. II. <i>James Barr Ames</i>	29
CONTEMPT OF COURT. <i>Wilbur Larremore</i>	614
DECLARATION OF INDEPENDENCE, THE. <i>William F. Dana</i>	319
FOREIGN ASSIGNMENTS. <i>Frank W. Hackett</i>	484
GERMAN CIVIL CODE, THE NEW. <i>Ernst Freund</i>	627
GROWTH OF THE IDEA OF ANNEXATION, AND ITS BEARING UPON CONSTI-	
TUTIONAL LAW, THE. <i>John Gorham Palfrey</i>	371
KING'S PEACE IN THE MIDDLE AGES, THE. <i>Sir Frederick Pollock, Bart.</i>	177
LEASES—COVENANTS OF PERPETUAL RENEWAL. <i>T. Homer Sweetser</i>	472
LOCAL SELF-GOVERNMENT, THE RIGHT TO. I., II., III. <i>Amasa M. Eaton</i>	441,
	470, 638
LORD WESTBURY. <i>Van Vechten Veeder</i>	557
MAYBRICK CASE, THE TASK OF THE JURY IN. <i>Charles E. Grinnell</i>	499
MUTUAL PROMISES IN THE CIVIL LAW, DEPENDENCY OF. <i>Samuel Williston</i>	80
NEW JERSEY AND THE GREAT CORPORATIONS. I., II. <i>Edward Q. Keasby</i>	198
	264
NEW POSSESSIONS, THE STATUS OF OUR. <i>Abbott Lawrence Lowell</i>	155
NULLITY OF MARRIAGE. <i>Franklin G. Fessenden</i>	110
PARLIAMENTARY GOVERNMENT, WILL THE FORM OF BE PERMANENT? <i>A. V. Dicey</i> .	
<i>Dicey</i>	67
PENAL CODE OF CUBA AND PORTO RICO, THE. <i>Lloyd McKim Garrison</i>	124
PERMANENCE OF PARLIAMENTARY GOVERNMENT, THE. <i>Gamaliel Bradford</i>	256
REAL ESTATE COPARTNERSHIPS. <i>Jesse W. Lilienthal</i>	455
SOUTHCOTT <i>v.</i> BENNETT. <i>J. H. Beale, Jr.</i>	43
SUFFRAGE CLAUSE IN THE NEW CONSTITUTION OF LOUISIANA, THE. <i>Amasa M. Eaton</i> .	
<i>Eaton</i>	279
TEACHING OF ENGLISH LAW AT HARVARD, THE. (<i>Reprinted.</i>) <i>A. V. Dicey</i>	422
TENURE OF JUDICIAL OFFICE	I

RECENT CASES.

	PAGE
AGENCY. Emergencies; implied authority	603
Insanity of principal; burden of proof	303
Insurance policies; waiver of conditions	146
Revocation; time of taking effect	523
Torts of servant; motive	303
Unauthorized contract; liability of agent	146
Unauthorized contract; liability of principal	56
Unlawful acts; liability of corporation	688
Vice-principal	147
Vice-principal doctrine; fellow-servants	603
ADMIRALTY. Bail; rearrest of vessel	408
Forfeiture; degree of proof	523
Maritime liens; jurisdiction	303
ALLOTMENT OF SHARES. See <i>Contracts</i> .	
AUCTION. See <i>Contracts</i> .	
BANKRUPTCY. Act of bankruptcy	57
Common law assignments	147
Discharge; destruction of account books	304
Discharge of judgment debt for support of bastard	409
Dissolution of lien; voluntary and involuntary cases	524
Examination of bankrupt; incriminating evidence	304
Fiduciary debts; discharge	603
Preferences; advances on both past and present consideration	409
Property vesting in trustee	57, 221
Rights of trustee in premises leased to bankrupt	688
Set-off of claims	221
Surrender of preferences	603
What corporations may be adjudicated bankrupt	689
BILLS AND NOTES. Action by indorsee; time of indorsement	524
Alteration; presumption of fraud	409
Certificates of deposit	304
Discount at usurious rate; amount of recovery	524
Forged checks; negligence of depositor	304
Interlineation; presumptions	57
Notes of unregistered foreign corporations	409
Transfer after maturity; notice	221
CARRIERS. Contract limiting liability for negligence	410
Liability for baggage	304
Loss of baggage; liability of steamship companies	525
Railroads; monopolies	221
Shipment of concealed valuables without notice	525
Special contract; burden of proving negligence	147
Telegraph companies; regulations	689
CONFLICT OF LAWS. Contract; local law applicable	305
Foreign judgment; defence of fraud	689
Garnishment; jurisdiction of debt	604
Jurisdiction; nullity of marriage	604
Taxation; chose in action	689
CONSTITUTIONAL LAW. Assessments; local public improvement	525

TABLE OF CONTENTS.

v

RECENT CASES—Continued.

	PAGE
Eminent domain; additional servitudes	57
<i>Ex post facto</i> laws	222
Impairing the obligation of contracts	604
Indians; tribal law	412
Limits of police power	689
Municipal corporation; regulation of weight of bread	222
Police power; class legislation	525
Procedure; new question on appeal	690
Railroads; statutory liability to passengers	604
Registration Act	605
Restriction of heights of buildings	410
Seventh amendment; jury trial	148
Succession tax.	222
Thirteenth amendment; involuntary servitude	305
War revenue act	148
CONTRACTS. Accord and satisfaction	58
Allotment of shares; withdrawal of application	526
Auction	58
Continuing offer; revocation	526
Consideration; forbearance	148
Construction	148
Debt; effect of receipt	690
Fraud; negligence	222
Guaranty; death of guarantor	222
Illegal contracts; eight-hour law	122
Implied promise to use due care; duty to third persons	605
Impossibility of performance; illness	605
Judicial sale; destruction of property before deed	223
Moral consideration.	58
Quasi-contracts; recovery of money paid to second assignee of chose in action	530
Restraint of trade; limitation as to space	59
Statute of frauds; specific performance	410
Suit by beneficiary	223
Torts; duties to third parties	226
See also <i>Persons, Sales, Damages, and Conflict of Laws.</i>	
COPYRIGHT. See <i>Property.</i>	
CORPORATIONS. Corporation <i>de facto</i> ; expiration of charter	690
Malicious prosecution	59
Misrepresentation in prospectus; recession of contract	410
Municipal corporations; exclusion of non-union labor	150
Municipal corporations; liability for servant's torts	59
Procedure; disqualification of judge by interest	605
Promoter a fiduciary; disclosure of relation	606
Service of summons; judgment by default	606
Stockholder's right to inspect corporate records	411
<i>Ultra vires</i> ; performance by plaintiff	411
COVENANTS. See <i>Property.</i>	
CRIMINAL LAW. Bigamy; defences	59
Burglary; consent	305
Burglary; entry	305
Double jeopardy	148

TABLE OF CONTENTS.

	PAGE
RECENT CASES — <i>Continued.</i>	
False pretences	305
Homicide; self-defence	223
Indecent exposure; publicity	690
Indictment; repeal of statute	606
Insanity; burden of proof	59
Interstate rendition	148
Libel; privilege	606
Pardon pending appeal	148
Suicide after assault	223
Violation of statute; necessity	411
What constitutes assault	526
DAMAGES. Breach of contract	223
Contracts; profits	149
Gratuitous bailment; trover	411
Liquidated damages; penalties	60
Punitive damages; replevin	691
Torts; remoteness	149
See also <i>Torts.</i>	
EQUITY. Subrogation; volunteer	306
EVIDENCE. Admissibility of evidence illegally obtained	306
Admissions; declarations against interest	526
Collateral issues; tendency to confuse jury	527
Confessions obtained by trick	412
Confessions; question for court	60
Divorce; character	607
Dying declarations; question for court	527
Expert testimony; age of handwriting	691
Hearsay; declarations of intention	224, 412
Impeaching witness; previous inconsistent statements	306
Impeachment of witness	60
Libel; privilege	412
Malicious prosecution; question for court	60
Modifications by parol; grain receipts	691
Negligence; results in similar cases	527
Opinion; hypothetical questions	527
Parol evidence rule	61
Pedigree; testimony as to contemporaneous facts	691
Previous wrongful acts	527
Privilege; attorney and client	691
Privileged communications; attorney and client	602
Rape; character of prosecutrix	224
<i>Res Gesta</i>	149
Subsequent repairs; relevancy	224
Testamentary capacity; burden of proof	528
View by jury; valuation of land	692
Witnesses; privileged communications	149
FEDERAL COURTS. Force of state decisions	149
FRAUDULENT CONVEYANCE. See <i>Property.</i>	
GARNISHMENT. Funds in hands of court	528
See also <i>Conflict of Laws and Procedure.</i>	
INDIANS. Tribal law	412
INFANTS. See <i>Persons.</i>	

TABLE OF CONTENTS.

vii

RECENT CASES — *Continued.*

PAGE	
INSOLVENCY. See <i>Bankruptcy.</i>	
INSURANCE. Life insurance; assignment of policy	692
Life insurance; rights in surplus	306
Waiver; clause of incontestability	412
Warranty; consideration	61
INTERNATIONAL LAW. Prizes; fishing-vessels	692
INTERPRETATION OF STATUTES. Internal revenue; rebate of tax	61
Married women's acts; effect on statute of limitations	692
Taxation; exemption	693
JUDGMENTS. See <i>Procedure.</i>	
JUDICIAL SALE. See <i>Contracts.</i>	
LANDLORD AND TENANT. See <i>Property.</i>	
LIFE INSURANCE. See <i>Insurance.</i>	
LUNATICS. See <i>Persons.</i>	
MARRIED WOMEN. See <i>Persons.</i>	
MORTGAGES. Tacking; knowledge of one of several joint mortgagees	306
See also <i>Property, Sales and Torts.</i>	
MUNICIPAL CORPORATIONS. See <i>Corporations.</i>	
NATIONAL BANKS. Secured creditors	61
PARDON. See <i>Criminal Law.</i>	
PARTNERSHIP. Death of partner; special partnership	412
Partnership property; exemptions	61
PATENTS. Novelty; evidence	62
PERSONS. Alienation of affection; suit by wife	413
Burial expenses of infant	306
Divorce; temporary alimony	224
Husband and wife; contract of separation	607
Husband and wife; debt	693
Infants' contracts; recovery of consideration	528
Insanity; contract for necessities	693
Married women; alienating husband's affections	62
Sale of lunatic's estate; purchaser's lien	307
See also <i>Interpretation of Statutes.</i>	
PLEADING. Trover; nature of plaintiff's right	607
PLEDGE. See <i>Property.</i>	
PHYSICAL EXAMINATION. See <i>Procedure.</i>	
PRACTICE. Judicial initiative	150
PROCEDURE. Constitutional law; new question on appeal	690
Corporations; disqualification of judge by interest	605
Effect of judgment against garnishee	224
Federal courts; force of state decisions	149
Judgments; set-off after assignment	528
Physical examination	224
See also <i>Garnishment.</i>	
PROPERTY. Adverse possession; tacking	62
Artificial watercourse; prescription	608
Conditional sale; rights of administrator	528
Conditions; rule against perpetuities	413
Copyrights; shorthand reports	529
Covenant against incumbrances; successive grantees	608
Covenant to fence; easement	529
Deeds; acceptance	150

TABLE OF CONTENTS.

RECENT CASES—Continued.

	PAGE
Deeds ; boundaries	150
Deeds ; delivery	307
Deeds ; reservations	414
Easements ; parol license	62
Easements ; way of necessity	693
Executors ; liability of sureties	529
Fee simple conditional ; possibility of reverter	150
Fraudulent conveyance	151
Fraudulent conveyance ; oral trust	608
Landlord and tenant ; duty to repair	307
Lateral support ; damages	414
Lease ; holding over	225
Lease ; implied covenant	307
License ; interruption by third party	151
Life tenant ; permissive waste	151
Loss of lien	225
Mortgages ; clogging equity of redemption	608
Percolating waters ; absorption by water-works	414
Percolating waters ; rights to withdraw	151
Pledge ; conversion	62
Revocation of license ; equitable remedy	62
Right of support ; unstable stratum	308
Rights in a dead body	63
Riparian rights ; extent	308
Rule against perpetuities ; restraints on alienation	529
Statute of limitations ; adverse use	152, 225
Statute of uses ; resulting use	694
Trees ; severance	225
Wills ; adopted child	308
Wills ; attestation	414
Wills ; execution in presence	530
Wills ; gift to class	308
Wills ; obliteration	308
Wills ; testamentary capacity	414
PUBLIC OFFICERS. Liability for public moneys	415
QUASI-CONTRACTS. Common carriers ; excessive charges	694
Recovery of money paid to second assignee of chose in action	530
RIGHT TO PRIVACY. See <i>Torts</i> .	
RIGHTS IN DEAD BODY	63
SALES. Conditional sale ; risk of loss	608
Foreign order ; where completed	609
Goods in possession of bailee ; rights of mortgagee	609
Intoxicating liquors ; social clubs	694
Mortgage of after-acquired property	609
Passing of title ; presumption of intention	695
Statute of Frauds	225
STATUTE OF FRAUDS. See <i>Contracts, Sales, and Trusts</i> .	
STATUTE OF LIMITATIONS. See <i>Property and Interpretation of Statutes</i> .	
SURETYSHIP. Extension of time ; discharge of sureties	63
Merger ; loss of security	609
Release of execution ; discharge of surety	415
Statute of Frauds	695
Subrogation ; statute of limitations	309

TABLE OF CONTENTS.

ix

RECENT CASES — *Continued.*

	PAGE
TAXATION. See <i>Interpretation of Statutes</i> and <i>Conflict of Laws</i> .	
TELEGRAPH COMPANIES. See <i>Carriers</i> .	
TORTS. Action for death; contract limiting liability	309
Contracts; duty to third parties	226
Contributory negligence; burden of proof	15
Contributory negligence; look-and-listen rule	226
Contributory negligence of children	309
Damages; mental suffering	226
Deceit; pleading	226
Deceit; representations of value	63
False imprisonment; justification under void law	415
Injury to dog	152
Interference with business; conspiracy	63
Negligence; proximate cause	530
Negligence; statutory duty	309
Nitro-glycerine; absolute liability	309
Protection of property; imminent danger	610
Right to privacy	415
Unrecorded mortgage; sale of mortgagor	415
See also <i>Damages</i> .	
TRUSTS. Charitable trusts; uncertainty	610
Constructive trusts; servant of trustee	530
Deposit of check for collection; liability of bank	416
Fraud; constructive trust	227
Fraudulent conveyance; oral trust	608
Gratuitous declaration; revocation	63
Insolvency of trustee; preference of <i>cestui</i>	153
Parol agreement; constructive trust	227
Parol contract to convey land; constructive trust	610
TRADE-MARK. Geographical names; injunction	152
VICE-PRINCIPAL DOCTRINE. See <i>Agency</i> .	
WILLS. See <i>Property</i> .	

NOTES.

ACQUIESCENCE FOR DETECTION	300
ADMIRALTY. Bail; rearrest	406
ADMISSIBILITY OF EVIDENCE ILLEGALLY OBTAINED	302
ADVERSE HOLDINGS, THE TACKING OF	52
AGENCY. Double employment of agent	522
ALIENATION OF AFFECTIONS	49
ASSOCIATED PRESS AS A PUBLIC CALLING	681
BANKRUPTCY ACT, INCRIMINATING QUESTIONS UNDER THE	296
BANKRUPTCY. Secured creditors of national bank	48
BURDEN OF PROOF OF TESTAMENTARY CAPACITY, THE	518
CARRIERS. Public calling; Associated Press	681
CHOSES IN ACTION, TAXATION OF	680
CLOGGING THE EQUITY OF REDEMPTION	595
COMPANY PROMOTERS ARE FIDUCIARIES	602
CONFlict OF LAWS. Foreign marriages; title to personality	601

*TABLE OF CONTENTS.**NOTES — Continued.*

PAGE	
Incorporation in two states	597
Judgments; fraud	679
Jurisdiction; garnishment of debt	596
Law governing tribal Indians	298
Taxation; chose in action	680
Validity of foreign contract	296
CONSTITUTIONALITY OF THE MASSACHUSETTS LAND REGISTRATION ACT	593
CONSTITUTION AND HAWAII, THE	401
CONSTITUTIONAL LAW. Constitution and Hawaii	401
Ex post facto laws	217
Jury trial in the District of Columbia	137
Protection of Copley Square; police power	405
Succession taxes	220
Taxation; War Revenue Act of 1898	138
Torrens system of land registration	593
CONSTRUCTIVE MURDER	51
CONTRACTS FOR THE ALLOTMENT OF SHARES	519
CONTRACTS. Allotment of shares; withdrawal of application	519
Guaranty; revocation by death	216
Measure of damages	140
Two theories of consideration	137
Ultra vires; part performance	402
CONVERSION OF PLEDGE	55
COPYRIGHT IN SHORTHAND REPORTS	517
CORPORATION NAMES	685
CORPORATIONS. Company promoters; fiduciaries	602
Incorporation in two states	597
Name; injunction	685
Ultra vires contracts; part performance	402
COVENANTS RESTRICTING THE USE OF CHATTELS	53
CRIMINAL LAW. Acquiescence for detection	300
Constructive murder	51
Defences in statutory crimes	50
Homicide: unborn children	521
Interstate rendition	141
Suicide after assault	219
CUSTODY OF INFANTS	684
DAMAGES. Measure of damages in contract	140
DANA v. VALENTINE FOLLOWED IN ENGLAND	142
DEATH OF GUARANTOR, REVOCATION OF GUARANTY	216
DEBATES AS AIDS IN INTERPRETING STATUTES	52
DEFENCE OF FRAUD TO A FOREIGN JUDGMENT	679
DEFENCES IN STATUTORY CRIMES	50
DEFENCE, UNCONSTITUTIONAL LEGISLATION AS A	407
DEPOSIT OF NOTES FOR COLLECTION AND EQUITABLE ASSIGNMENTS	143
DEVELOPMENT OF THE JAMESON RAID, A	215
DOUBLE EMPLOYMENT OF AGENT	522
DREYFUS CASE, THE	214
EQUITABLE ASSIGNMENTS, DEPOSIT ON NOTES FOR COLLECTION AND	143
EQUITY. Clogging the equity of redemption	595
Mortgages of after-acquired property	598
Subrogation and volunteers	297

NOTES — *Continued.*

	PAGE
EVIDENCE ILLEGALLY OBTAINED, ADMISSIBILITY OF	302
EVIDENCE. Burden of proof; testamentary capacity	518
Hearsay in matters of public or general interest	56
Hearsay; testimony at former trial	687
Illegally obtained; admissibility	302
Incriminating questions; Bankruptcy Act	296
Modifications by parol; grain receipts	681
Negligence; rule in similar cases	519
Privilege of witnesses who are parties to the suit	145
Written contracts and extrinsic evidence	139
EX POST FACTO LAWS	217
FISHING VESSELS EXEMPT FROM CAPTURE	594
FOREIGN CONTRACTS, THE VALIDITY OF	296
FOREIGN MARRIAGES — TITLE TO PERSONALTY	601
FOX, EDWARD W. Obituary	213
GRAIN RECEIPTS — MODIFICATIONS BY PAROL	681
GUARANTY, REVOCATION OF, BY DEATH OF GUARANTOR	216
HAWAII, THE CONSTITUTION AND	401
HEARSAY EVIDENCE IN MATTERS OF PUBLIC OR GENERAL INTEREST	56
HILSE PRIZE OFFER	400
INCORPORATION IN TWO STATES	597
INCRIMINATING QUESTIONS UNDER THE BANKRUPTCY ACT	296
INSURANCE. Interest of beneficiary in policy	682
Surplus; rights of policy holders	301
INTEREST OF BENEFICIARY OF A LIFE INSURANCE POLICY	682
INTERNATIONAL LAW. Exemption of fishing-vessels from capture	594
INTERSTATE RENDITION	141
JAMESON RAID, A DEVELOPMENT OF THE	215
JUDICIAL INITIATIVE	144
JURISDICTION IN GARNISHMENT OF DEBTS	596
JURY TRIAL IN THE DISTRICT OF COLUMBIA	137
LANDLORD AND TENANT — HOLDING OVER	218
LAW GOVERNING TRIBAL INDIANS, THE	298
LAW SCHOOL, THE	213, 294
LEGAL ASPECT OF PRAIRIE FIRES, A	599
LEVY ON UNRIPE CROPS, RIGHT OF	218
LIABILITY FOR BLASTING	600
LIABILITY FOR THE SPREAD OF FIRE	522
LIMITS OF RIPARIAN LAND, THE	299
MASSACHUSETTS LAND REGISTRATION ACT	593
MORTGAGES OF AFTER-ACQUIRED PROPERTY	598
OBITUARY OF EDWARD W. FOX	213
OBITUARY OF CHARLES O. PARISH	516
OTHER FIRES BY OTHER ENGINES	519
PARISH, CHARLES O. Obituary	516
PART PERFORMANCE OF ULTRA VIRES CONTRACTS	402
PERSONS. Alienation of Affections	49
Custody of infants	684
PRIVILEGED COMMUNICATION	403
PRIVILEGE OF WITNESSES WHO ARE PARTIES TO THE SUIT	145
PROCEDURE. Judicial initiative	144
PROPERTY. Conversion of pledge	55

NOTES — *Continued.*

PAGE	
Copyright; shorthand reports	517
Covenants restricting the use of chattels	53
Landlord and tenant; holding over	218
Nuisance; <i>Dana v. Valentine</i> followed in England	142
Perpetuities; right of entry for condition broken	407
Reservations and exceptions in a deed	404
Revocation of licenses	54
Right of levy on unripe crops	218
Right of support	299
Right to change a river channel	683
Riparian land; limits	299
Rule against perpetuities; restraints on alienation	516
Tenancies from year to year	142
The tacking of adverse holdings	52
Wills; signature	685
PROTECTION OF COBLEY SQUARE, THE	405
REAL ESTATE TRUST ASSOCIATIONS — TRUST IS NOT VOID	516
RE-ARREST AFTER BAIL IN ADMIRALTY	406
RESERVATIONS AND EXCEPTIONS IN A DEED	404
REVOCATION OF GUARANTY BY DEATH OF A GUARANTOR	216
REVOCATION OF LICENSES	54
RIGHT OF ENTRY FOR CONDITION BROKEN WITHIN THE RULE AGAINST PERPETUITIES	407
RIGHT OF LEVY ON UNRIPE CROPS	218
RIGHT OF SUPPORT	299
RIGHTS OF A POLICY-HOLDER IN SURPLUS OF A LIFE INSURANCE COMPANY	301
RIGHT TO CHANGE A RIVER CHANNEL, THE	683
RIPARIAN LAND, THE LIMITS OF	299
RULE AGAINST PERPETUITIES, RIGHT OF ENTRY FOR CONDITION BROKEN	407
SECRET TRUSTS UPON BEQUESTS	520
SECURED CREDITORS OF A NATIONAL BANK	48
SIGNATURES TO WILLS	686
STATUTES. Debates as aids in interpreting statutes	52
SUBROGATION AND VOLUNTEERS	297
SUCCESSION TAXES AND THE CONSTITUTION	220
SUICIDE AFTER ASSAULT	219
SURPLUS OF LIFE INSURANCE COMPANY, RIGHTS OF POLICY-HOLDER IN	301
TACKING OF ADVERSE HOLDINGS, THE	52
TAXATION OF CHOSSES IN ACTION	680
TENANCIES FROM YEAR TO YEAR	142
TESTIMONY ON A FORMER TRIAL BY A WITNESS SINCE DECEASED	687
TORTS. Alienation of affections	49
Jameson raid; maxim <i>in pari delicto</i>	215
Liability for blasting	600
Libel; privileged communication	403
Probable cause	522
Self-protection	599
TRIBAL INDIANS, THE LAW GOVERNING	298
TRUSTS. Bequests; secret trusts	520
Deposit of notes for collection and equitable assignments	143
TWO THEORIES OF CONSIDERATION	137
ULTRA VIRES CONTRACTS, PART PERFORMANCE OF	402

NOTES — *Continued.*

	PAGE
UNBORN CHILDREN IN CRIMINAL LAW	521
UNCONSTITUTIONAL LEGISLATION AS A DEFENCE	407
UNRIPE CROPS, RIGHT OF LEVY ON	218
VALIDITY OF FOREIGN CONTRACTS, THE	296
WAR REVENUE ACT OF 1898	138
WRITTEN CONTRACTS AND EXTRINSIC EVIDENCE	139

REVIEWS.

Abbott: Forms of Pleading. Vol. II.	532
Barrows: The Law of Negligence	533
Beale: Criminal Pleading and Practice	416
Brown: Wit and Humor of the Bench and Bar	534
Bryant: Pleadings under the Codes. Second edition	420
Bullitt: The Constitution of the United States	315
Burdick: The Law of Partnership	153
Buswell: Negligence. Second edition.	316
Byles: Bills of Exchange. Sixteenth edition	417
Carter: The Jurisdiction of Federal Courts as limited by Citizenship.	64
Chambrum: Le Pouvoir Executif aux Etats-Unis.	417
Chaud: Civil Procedure in British India	611
Cumming, Gilbert, and Woodward: Annotated Corporation Laws. Vol. I., II., and III	154
Denis: The Law of Contract of Pledge	66
Digby: The Law of Real Property. Fifth edition	65
Dill: The Law of Private Corporations in New Jersey	316
English: A Dictionary of Words and phrases used in Law	230
Graham: Taxation, Local and Imperial	419
Greenleaf: The Law of Evidence. Sixteenth edition. By Wigmore. Vol. I.	228
Haight: Questions and Answers for a Bar Examination	313
Hale: The Dreyfus Story. Second and third editions.	231, 421
Hall: The Massachusetts Law of Landlord and Tenant	314
Hepburn: A Selection of Cases and Statutes on Code Pleading	531
Hochheimer: The Custody of Infants. Third edition.	420
Ingham: The Law of Animals	612
Lawson: The Law of Presumptive Evidence	229
Leir; The Necessity for Criminal Appeal	227
Lloyd: State Trials	230
Lowell and Lowell: The Law of Bankruptcy	310
MacDonald: Select Charters Illustrative of American History	419, 610
Martin: Civil Procedure at Common Law	534
Meigs: The Growth of the Constitution in the Federal Convention	315
Morison: Imperial Rule in India	230
Perry: The Law of Trusts. Fifth edition. Vol. I. and II.	418
Purrington: Christian Science.	613
Richardson: The Journal of the Federal Convention of 1787	419
Rodgers: Domestic Relations	611
Tucker: The Constitution of the United States. Vol. I. and II.	311
Warren: The Law relating to Choses in Action	314
Waters: John Selden and his Table-Talk	420
White: Some Recent Criticism of Gelpcke <i>v.</i> Dubuque	531